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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92057072
Party	Defendant DLR Associates Inc
Correspondence Address	DLR ASSOCIATES INC 125F TRADE CENTER #9 MOORESVILLE, NC 28117-5539 UNITED STATES
Submission	Answer
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Date	05/21/2013
Attachments	Answer to Petition to Cancel.pdf(319997 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of United States Registration No. 4,284,010
For the Mark LIQUID RELAXATION
Registered on the Principal Register on January 29, 2013

World Health Products f/k/a)	
German American Technologies,)	
)	
Petitioner,)	
)	
v.)	Cancellation No. 92057072
)	
DLR Associates, Inc.,)	
)	
Registrant.)	
_____)	

**ANSWER TO PETITION TO CANCEL
AND AFFIRMATIVE DEFENSES**

DLR Associates, Inc. (hereinafter "Registrant") hereby answers the Petition to Cancel on behalf of World Health Products f/k/a German American Technologies (hereinafter "Petitioner") and denies each allegation not otherwise admitted and responds to each numbered paragraph as follows:

1. Registrant is without knowledge or information sufficient to form a reasonable belief as to the allegations of Paragraph 1, and accordingly denies the same.
2. Registrant is without knowledge or information sufficient to form a reasonable belief as to the allegations of Paragraph 2, and accordingly denies the same.
3. Registrant is without knowledge or information sufficient to form a reasonable belief as to the allegations of Paragraph 3, and accordingly denies the same.

4. Registrant is without knowledge or information sufficient to form a reasonable belief as to the allegations of Paragraph 4, and accordingly denies the same.

5. Registrant is without knowledge or information sufficient to form a reasonable belief as to the allegations of Paragraph 5, and accordingly denies the same.

6. The allegations of Paragraph 6 admitted.

7. The allegations of Paragraph 7 admitted.

8. The allegations of Paragraph 8 admitted.

9. The allegations of Paragraph 9 admitted.

10. Registrant is without knowledge or information sufficient to form a reasonable belief as to the allegations of Paragraph 10, and accordingly denies the same.

11. Registrant denies that it is a Delaware Corporation. Registrant is a Wyoming Corporation with a place of business at 125F Trade Court #9, Mooresville, NC 28117.

12. Registrant admits that it is using the mark LIQUID RELAXATION in connection with dietary supplemental drinks in International Class 5. Except as admitted, the remaining allegations of Paragraph 12 are denied.

13. The allegations of Paragraph 13 are admitted.

14. The allegations of Paragraph 14 are admitted.

15. Registrant is without knowledge or information sufficient to form a reasonable belief as to the allegations of Paragraph 15, and accordingly denies the same.

16. Registrant is without knowledge or information sufficient to form a reasonable belief as to the allegations of Paragraph 16, and accordingly denies the same.

17. Registrant is without knowledge or information sufficient to form a reasonable belief as to the allegations of Paragraph 17, and accordingly denies the same.

18. Registrant is without knowledge or information sufficient to form a reasonable belief as to the allegations of Paragraph 18, and accordingly denies the same.

AFFIRMATIVE DEFENSES

19. The Petition to Cancel fails to state a claim against Registrant upon which relief may be granted pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, as adopted by Rule 2.116(a) of the Rules of Practice in Trademark Cases.

20. Petitioner's claims against Registrant are barred because Petitioner, on information and belief, does not use and has not used its mark in interstate commerce.

PRAYER FOR RELIEF

WHEREFORE, Registrant prays that the Petitioner's Petition to Cancel be dismissed with prejudice.

Please recognize as attorney for Registrant in this proceeding Alice Carmichael Richey and the law firm of Alice Carmichael Richey, PLLC, 2820 Selwyn Avenue, Suite 420, Charlotte, North Carolina 28209.

Respectfully submitted this 21st day of May, 2013.

ALICE CARMICHAEL RICHEY, PLLC



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*Attorney for Registrant
DLR Associates, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **ANSWER TO PETITION TO CANCEL AND AFFIRMATIVE DEFENSES** was served upon counsel of record for Petitioner by placing copy of same in an envelope, with sufficient postage prepaid and deposited in an official depository under the exclusive care and custody of the United States Postal Service, and addressed as follows:

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Attorney for Petitioner
World Health Products f/k/a German American Technologies.

This the 21st day of May, 2013.

ALICE CARMICHAEL RICHEY, PLLC



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DLR Associates, Inc.